

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of J.T., Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JOHNNY THOMAS, SR.,

Respondent-Appellant.

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UNPUBLISHED

January 24, 2003

No. 242671

Genesee Circuit Court

Family Division

LC No. 91-089180-NA

Before: Cooper, P.J., and Bandstra and Talbot, JJ.

MEMORANDUM.

Respondent appeals as of right from a trial court order terminating his parental rights to the minor child pursuant to MCL 712A.19b(3)(c), (g) and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

The trial court did not clearly err in finding that at least one statutory ground for termination had been proved by clear and convincing evidence. *In re IEM*, 233 Mich App 438, 450; 592 NW2d 751 (1999). Although respondent made efforts to comply with the treatment plan, the evidence clearly established that he had failed to adequately address his long-term substance abuse history and was still using cocaine despite the fact that his son was autistic and required a highly responsible caretaker. Further, because at least one ground for termination was established, the trial court was required to terminate respondent's parental rights unless it found that termination was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 364-365; 612 NW2d 407 (2000). The trial court's finding regarding the child's best interest was not clearly erroneous. *In re Trejo, supra* at 356-357.

We affirm.

/s/ Jessica R. Cooper

/s/ Richard A. Bandstra

/s/ Michael J. Talbot